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By: 

Printed: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN SMN-LIKE PROTEIN

Serial No.: To Be Assigned

Filing Date: Herewith

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 09/028,327, filed February 24, 1998, Patent No. 6,130,064 issued October 10, 2000, and application Serial No. 09/571,078 filed May 15, 2000, Patent No. 6,620,783 issued on September 16, 2003, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement

the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,

INCYTE CORPORATION

Date: 08 September 2003

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Department of Commerce, Patent and Trademark Office					Atty Docket No.		Serial No.	
					PF-0482-2 DIV		To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANTS					Applicant(s)			
(Use several sheets if necessary)					Tang et al.			
					Filing Date		Group	
					Herewith		To Be Assigned	
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
		6,417,329	9 July 2002	Bandman et al.				
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	1	EP0711833A	15 May 1996	EP				
	2	EP0708178A	24 April 1996	EP				
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	1	Lefebvre, S., et al., "Identification and Characterization of a Spinal Muscular Atrophy-Determining Gene," <u>Cell</u> , 80:155-165 (1995)						
	2	Burglen, L., et al., "Structure and Organization of the Human Survival Motor Neurone (SMN) Gene," <u>Genomics</u> , 32:479-482 (1996)						
	3	Coover, D., et al., "The survival motor neuron protein in spinal muscular atrophy," <u>Human Molecular Genetics</u> , 6(8):1205-1214 (1997)						
	4	Liu, Q. And Dreyfuss, G., "A Novel nuclear structure containing the survival of motor neurons protein," <u>The Embo Journal</u> , 15(14):3555-3565 (1996)						
	5	Viollet, L., et al., "cDNA Isolation, Expression, and Chromosomal Localization of the Mouse Survival Motor Neuron Gene (Smn)," <u>Genomics</u> , 40:185-188 (1997) (GI 1857114 & GI 1857113)						
	6	Schrank, B., et al., "Inactivation of the survival motor neuron gene, a candidate gene for human spinal muscular atrophy, leads to massive cell death in early mouse embryos," <u>Proc. Natl. Acad. Sci.</u> , 94:9920-9925 (1997)						
	7	Viollet, L., et al., (GI 1857114), GenBank Sequence Database (Accession U63294), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894						
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	9	Burglen, L., et al., (GI 1314346), GenBank Sequence Database (Accession AAC50473), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894						
	10	Burglen, L., et al., (GI 1314337), GenBank Sequence Database (Accession U43876), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894						

	11	EMBL/GENBANK DATABASES Accession No. Z78358 Sequence reference HSZ78358 16 August 1996, Neri, C. et al: "Survey of CAG/CTG repeats in human cDNAs representing new genes: candidates for inherited neurological diseases", XP002106944
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	13	EMBL/GENBANK DATABASES Accession No. T91668 Sequence reference HS66857, 11 April 1995, Hillier, L. et al: "The WashU-Merck EST Project", XP002106945
	14	Neubauer, G. et al., "Mass spectrometry and EST-database searching allows characterization of the multi-protein spliceosome complex", <u>NATURE GENETICS</u> , vol.20, September 1998, pp. 46-50, XP002106943
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	16	EMBL/GENBANK DATABASES Accession No. AF107463 Sequence reference AF107463, 11 December 1998, Chen, J. et al: "Isolating and cloning HSP cDNA", XP002106947
	17	EMBL/GENBANK DATABASES Accession No. AI182770 Sequence reference AI182770, 13 October 1998, Marra, M. et al: "The WashU-HHMI Mouse EST project", XP002106948
	18	Genbank Accession No. N22328, December 1995
	19	Genbank Accession No. AA180296, December 1996
	20	Genbank Accession No. AF083385, October 1998
	21	Genbank Accession No. AAC64086, October 1998
Examiner		Date Considered
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>		